

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

KYRA R. WOOD

Plaintiff,

-v-

MICHELLE MACIOROWSKI,

Defendant.

Case No. C-3:09-cv-365

Judge Thomas M. Rose
Magistrate Sharon L. Ovington

**ENTRY AND ORDER OVERRULING WOOD’S OBJECTIONS (Doc. #5)
TO THE MAGISTRATE JUDGE’S REPORT AND
RECOMMENDATIONS; ADOPTING THE MAGISTRATE JUDGE’S
REPORT AND RECOMMENDATIONS (Doc. #4) IN ITS ENTIRETY;
DISMISSING WOOD’S COMPLAINT WITH PREJUDICE; DENYING
LEAVE TO APPEAL *IN FORMA PAUPERIS*; AND TERMINATING THIS
CASE**

This matter comes before the Court pursuant to Plaintiff Kyra R. Wood’s (“Wood’s”) Objections to Magistrate Judge Sharon L. Ovington’s Report and Recommendations. The Report and Recommendations was entered on September 24, 2009. (Doc. #4.) On October 6, 2009, Wood filed objections. (Doc. 5.) The time has run and Defendant Michelle Maciorowski has not filed a response. Wood’s Objections are, therefore, ripe for decision.

As required by 28 U.S.C. §636(b) and Federal Rules of Civil Procedure Rule 72(b), the District Judge has made a de novo review of the record in this case. Upon said review, the Court finds that Wood’s Objections to the Magistrate Judge’s Report and Recommendations are not well-taken, and they are hereby OVERRULED. The Magistrate Judge’s Report and Recommendations is adopted in its entirety.

Because Magistrate Maciorowski is absolutely immune from money damages for

statements made and decisions rendered in Court proceedings, Wood's Complaint fails to state a claim upon which relief may be granted. Accordingly, Wood's Complaint is dismissed with prejudice. The Clerk is ordered not to issue process without further order of the Court. Finally, an appeal of this Order would not be taken in good faith and, therefore, Wood is denied leave to appeal in forma pauperis.

DONE and **ORDERED** in Dayton, Ohio, this Tenth day of November, 2009.

s/Thomas M. Rose

THOMAS M. ROSE
UNITED STATES DISTRICT JUDGE

Copies furnished to:

Counsel of Record